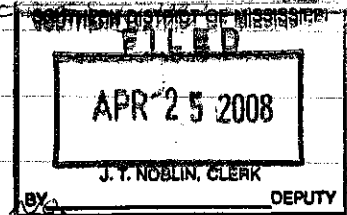


3:08cv267TSL-JCS

UNITED STATES DISTRICT COURT  
FOR THE SOUTHEAST DISTRICT OF  
JACKSON DIVISION



-VS ALBERT L. MILLER

CHRISTOPHER EPPS, Commissioner MDOC

AMERICAN CORRECTIONAL ASSOCIATION

Does 1-20

DEFENDANTS

CASE BY

DEPUTY

42 USC 1983 JURY TRIAL DEMAND

1. PERSONAL INJURY

2. VIOLATIONS OF STATE LAWS ON SMOKEING

3. VIOLATIONS ON ACA STANDARDS

4. VIOLATIONS ON CONSTITUTIONAL RIGHTS

PLAINTIFF ALBERT L. MILLER, # R8140 A RESIDENT OF THE STATE  
OF MISSISSIPPI, PRESENTLY IS INCARCERATED IN A STATE PRISON,  
SOUTHEAST MISSISSIPPI CORRECTIONAL INSTITUTION LOCATED AT P.O. BOX  
1419 Leakesville, MS 39451. PLAINTIFF HAS NOT FILED ANY OTHER  
PETITIONS FOR HABEAS CORPUS PURSUANT TO 28 USC § 2254 OR ANY  
42 USC § 1983 EVER.

CHRISTOPHER EPPS, COMMISSIONER (MDOC) MISSISSIPPI DEPARTMENT OF  
COLLECTIONS, LOCATED AT 723 NORTH PRESIDENT STREET  
JACKSON, MS 39202 IS SUED IN HIS OFFICIAL AND SUPERVISORY  
CAPASITY. HE SET IN MOTION A SERIES OF EVENTS HE NEW ABOUT  
OR SHOULD HAVE KNOWN ABOUT THAT LED TO MY INJURIES  
AND DAMAGES.

AMERICAN CORRECTIONAL ASSOCIATION, LOCATED AT 4380 FORBES BLVD  
LANTHAM, MARYLAND 20706, ALSO A ACCREDITATION ASSOCIATION FOR  
MDOC, IN MISSISSIPPI DOING BUSINESS THERE ALSO AT 723 NORTH PRESIDENT

2 OF 4  
JHS

1 STREET, JACKSON, MS 39202, IS SUED IN ITS OFFICIAL AND  
2 SUPERVISORY CAPACITY. THIS DEFENDANT SET IN MOTION A SERIES  
3 OF EVENTS THAT THEY NEW ABOUT OR SHOULD HAVE NEW ABOUT  
4 THAT LED TO MY INJURIES AND DAMAGES.

5  
6 DOES 1-20 PROPER IDENTITIES ARE NOT YET KNOWN BUT PLAINTIFF  
7 RESERVES THE RIGHT TO NAME THEM AS THEY BECOME KNOWN.

8  
9 CHAISTATER EPPS AND AMERICAN CORRECTIONAL ASSOCIATIONS HAVE  
10 BOTH STRICTLY FOR PROFIT IGNORED AND BROKE WELL ESTABLISHED STATE  
11 LAWS AND ACCREDITATIONAL POLICYS. PLAINTIFF FIRST LET DEFENDANTS  
12 KNOW OF HIS SMOKING ADDICTION IN 2004 TO PRISON OFFICIALS  
13 BECAUSE HE WAS HAVING PAIN IN HIS CHEST AND IT EFFECTED  
14 HIS LUNG DISEASE. THEY NEVER FOLLOWED THE NEW, "USE OF  
15 TOBACCO" POLICYS NOR THE "NO SMOKING IN STATE BUILDINGS" POLICYS,  
16 WHICH WOULD HAVE FORCED ME TO STOP SMOKING 23 HOURS A DAY  
17 I'M HELD IN SINCE THE HOUSING FACILITIES. THIS ILLEGAL ACTION  
18 HAS CAUSED MY INJURIES AND DAMAGES.

19  
20 FIRST CAUSE OF ACTION

21 PERSONAL INJURY

22 ALL DEFENDANTS IN THIS COMPLAINT CAUSED MY MEDICAL INJURIES,  
23 LUNG DISEASE, HEADACHES AND PAIN.

24  
25 SECOND CAUSE OF ACTION

26 VIOLATIONS ON STATE LAWS ON SMOKING

27 STATE LAW REQUIRES NO SMOKING IN A STATE BUILDING AND  
28 DEFENDANTS IGNORE THEM TO MAKE A PROFIT OFF OF TOBACCO

3 of 4

JHS

1 Taking Away my chance to quit smoking and  
 2 Furthering my Damages and Injuries.

3

4

## THIRD Cause OF ACTION

5

## Violations OF ACA STANDARDS

6

ACA STANDARD: NCCHA STANDARDS: P-F-05

7

DEFENDANTS VIOLATE THIS STANDARD ON THE USE OF TOBACCO.

8

They implement a 1998 STANDARD THAT WAS CLEARLY REPLACED IN 2004.

9

THE AMERICAN COLLECTIONAL ASSOCIATION ITS SELF IGNORE THIS AND

10

OTHER VIOLATIONS COMMITTED BY MDOC ALLOWING THEM TO BE

11

ACCREDITED UNRESENTIVELY. THIS IS FRAUD ON THE ACAS PART

12

AND IS VIOLATE THERE TAX EXEMPT STATUS.

13

14

## FOURTH Cause OF ACTION

15

## Violations OF CONSTITUTIONAL RIGHTS

16

## EIGHT Amendment

17

THIS IS DELIBERATE INTERFERENCE AND WELL ESTABLISHED AS

18

A VIOLATION ON HUMAN RIGHTS INREGARDS TO SMOKE FREE

19

ENVIRONMENT.

20

21

## Administrative Remedies

22

A ARP WAS FILED AND THE STATUE OF LIMITATION WAS VIOLATED

23

AS MDOC HAS IGNORED OTHER ARPS ON THIS SUBJECT

24

SEE CASE NO (SMCI-08-09) THE COURT IS MY ONLY OPTION

25

BECAUSE MY HEALTH AND LIFE IS IN IMMINENT DANGER.

26

27

28

4 OF 4

JTS

## RELIEF

1) For All State laws to be enforced on NO smoking  
in State Buildings, THIS DO INCLUDE INMATES HOUSING UNITS.

2) ACA STANDARD; NCCHA STANDARD; P-F-05 TO BE FULLY  
enforced, STOP smoking in INMATES HOUSING AREAS AND PROVIDE  
me with educational materials TO STOP smoking.

3.) \$ 1,000,000 FOR ACTUAL DAMAGES

4.) \$ 5,000,000 FOR PUNITIVE DAMAGES

5.) ALL COST OF THIS LITIGATION TO BE COVERED BY DEFENDANTS

I UNDER THE PENALTY OF PERJURY DECLARE ALL THE ABOVE IS TRUE.

Albert J. Miller

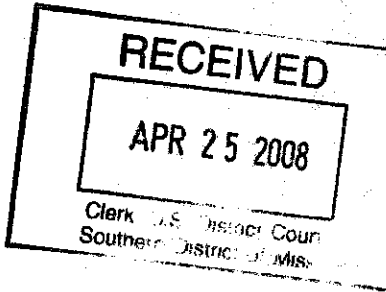
Albert Miller # R8140  
SMC-T-21-149  
P.O. BOX 1419  
Leakesville, MS. 39451

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SOUTH MS. DISTRICT MAIL

LEAKESVILLE, MS 39451

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OR ENCLOSURES CORRESPONDENCE FOR FORWARDING  
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ENCLOSURE TO THE ABOVE ADDRESS.

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SOUTH MS. CORRECTIONAL INSTITUTION  
LEAKESVILLE, MS 39451



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